## RECEIVED CENTRAL FAX CENTER

#### JAN 0 2 2007

This facsimile message and its contents are legally privileged and confidential information intended solely for the use of the addressee. If the reader of this message is not the intended recipient, you are hereby notified that any dissemination, distribution, copying or other use of this message and its contents is strictly prohibited. If you have received this telecopy in error, please notify us immediately by telephone and return the original message to us at the address shown below via the Postal Service. Thank You.

### ALSTON&BIRD LLP

3201 Beechleaf Court, Suite 600 Raleigh, NC 27604-1062 919-862-2200 Fax: 919-862-2260

#### **TELECOPY**

#### PLEASE DELIVER AS SOON AS POSSIBLE

Date:									
January :	2, 2007								
Recipient:		Company:							
		U.S. Patent and Trademark Office							
Fax Number:		Voice Number:							
571-273-8300		· · · · · · · · · · · · · · · · · · ·							
Sender:									
David M. Saravitz									
Message:									
A Request for	Corrected Filing Red	ceipt is attached for the following patent application:							
In re:	Marillonnet et al.	Confirmation No.: 2232							
Appl. No.:	10/578,962	Group Art Unit: 1638							
Filed:	August 7, 2006								
For:	r: RNA VIRUS-DERIVED PLANT EXPRESSION SYSTEM								
Number of Pages: (including cover page)									
		Transfer (Lateral Property Lings)							
IF NOT RECEIVED PROPERLY, PLEASE NOTIFY US IMMEDIATELY AT Karyn Grimm.									
USER CODE:	SARAV	REQUESTED BY: Karyn Grimm							
CLIENT/MAT	TER: 049202/308245	OPERATOR:							

# JAN 0 2 2007

Attorney's Docket No. 049202/308245

**PATENT** 

#### IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re:

Marillonnet et al.

Confirmation No.: 2232

Appl. No.:

10/578,962

Group Art Unit: 1638

Filed:

For:

August 7, 2006

RNA VIRUS-DERIVED PLANT EXPRESSION SYSTEM

Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450

#### REQUEST FOR CORRECTED FILING RECEIPT

Sir:

In reviewing the Filing Receipt for the above-referenced application, Applicant notes that errors appear as noted on the enclosed copy of the Filing Receipt. Applicant requests that a corrected Filing Receipt be issued.

Respectfully submitted,

David M. Saravitz Registration No. 55,593

Customer No. 00826 ALSTON & BIRD LLP Bank of America Plaza 101 South Tryon Street, Suite 4000 Charlotte, NC 28280-4000 Tel Raleigh Office (919) 862-2200 Fax Charlotte Office (704) 444-1111

CERTIFICA	TION OF I	TACCIMII 1	E TDANG!	KUISSIM

I hereby certify that this paper is being facsimile transmitted to the US Patent and Trademark Office at Fax No. (571) 273-8300 on the date shown below.

January 2, 2007

LEGAL02/30209538v1

Page 1 of 3



United States Patent and Trademark Office

UNITED STATES DEPARTMENT OF COMMERCE United States Patent and Trademark Office
Address COMMISSIONER FOR PATENTS
P.O. Bez 1450 Viccinia 22313-1450

APPL NO.	FILING OR 371 (c) DATE ART UNIT	EI) EEE BEC'D			T		
		- CONT	TIETEERECO	ATTY,DOÇKET NO	DRAWINGS	TOT CLMS	IND CLMS
10/578,962	08/07/2006	1638	3280	049202/308245	22	57	

RECEIVED B

ALSTON & BIRD LLP

**CONFIRMATION NO. 2232** CORRECTED FILING RECEIPT \*OC000000021585817\*

\*OC000000021585817\*

DEC 1 8 2006

Date Mailed: 12/13/2006

00826 **ALSTON & BIRD LLP** BANK OF AMERICA PLAZA 101 SOUTH TRYON STREET, SUITE 4000 CHARLOTTE, NC 28280-4000

Receipt is acknowledged of this regular Patent Application. It will be considered in its order and you will be notified as to the results of the examination. Be sure to provide the U.S. APPLICATION NUMBER, FILING DATE, NAME OF APPLICANT, and TITLE OF INVENTION when inquiring about this application. Fees transmitted by check or draft are subject to collection. Please verify the accuracy of the data presented on this receipt. If an error is noted on this Filing Receipt, please mail to the Commissioner for Patents P.O. Box 1450 Alexandria Va 22313-1450. Please provide a copy of this Filing Receipt with the changes noted thereon. If you received a "Notice to File Missing Parts" for this application, please submit any corrections to this Filing Receipt with your reply to the Notice. When the USPTO processes the reply to the Notice, the USPTO will generate another Filing Receipt incorporating the requested corrections (if appropriate).

Applicant(s)

Sylvestre Marillonnet, Halle, GERMANY: Carola Engler, Halle, GERMANY: Victor Kimyuk, Halle, GERMANY: Yuri Gleba, Halle, GERMANY:

**Assignment For Published Patent Application** 

Icon Genetics AG, Munchen, GERMANY

Power of Attorney: The patent practitioners associated with Customer Number 00826.

Domestic Priority data as claimed by applicant

This application is a 371 of PCT/EP04/12743 11/10/2004 which alaims the benefit ations

Foreign Applications

EUROPEAN PATENT OFFICE (EPO):04016012.9 07/07/2004

If Required, Foreign Filing License Granted: 11/13/2006

The country code and number of your priority application, to be used for filing abroad under the Paris Convention, is **US10/578,962** 

Projected Publication Date: 02/22/2007

PAGE 3/5 \* RCVD AT 1/2/2007 4:30:08 PM [Eastern Standard Time] \* SVR:USPTO-EFXRF-6/30 \* DNIS:2738300 \* CSID:9198622260 \* DURATION (mm-ss):01-02

Page 2 of 3

Non-Publication Request: No

Early Publication Request: No

Title

Rna virus-derived plant expression system

**Preliminary Class** 

800

#### PROTECTING YOUR INVENTION OUTSIDE THE UNITED STATES

Since the rights granted by a U.S. patent extend only throughout the territory of the United States and have no effect in a foreign country, an inventor who wishes patent protection in another country must apply for a patent in a specific country or in regional patent offices. Applicants may wish to consider the filling of an international application under the Patent Cooperation Treaty (PCT). An international (PCT) application generally has the same effect as a regular national patent application in each PCT-member country. The PCT process simplifies the filling of patent applications on the same invention in member countries, but does not result in a grant of "an international patent" and does not eliminate the need of applicants to file additional documents and fees in countries where patent protection is desired.

Almost every country has its own patent law, and a person desiring a patent in a particular country must make an application for patent in that country in accordance with its particular laws. Since the laws of many countries differ in various respects from the patent law of the United States, applicants are advised to seek guidance from specific foreign countries to ensure that patent rights are not lost prematurely.

Applicants also are advised that in the case of inventions made in the United States, the Director of the USPTO must issue a license before applicants can apply for a patent in a foreign country. The filing of a U.S. patent application serves as a request for a foreign filing license. The application's filing receipt contains further information and guidance as to the status of applicant's license for foreign filing.

Applicants may wish to consult the USPTO booklet, "General Information Concerning Patents" (specifically, the section entitled "Treaties and Foreign Patents") for more information on timeframes and deadlines for filing foreign patent applications. The guide is available either by contacting the USPTO Contact Center at 800-786-9199, or it can be viewed on the USPTO website at http://www.uspto.gov/web/offices/pac/doc/general/index.html.

For information on preventing theft of your intellectual property (patents, trademarks and copyrights), you may wish to consult the U.S. Government website, http://www.stopfakes.gov. Part of a Department of Commerce initiative, this website includes self-help "toolkits" giving innovators guidance on how to protect intellectual property in specific countries such as China, Korea and Mexico. For questions regarding patent enforcement issues, applicants may call the U.S. Government hotline at 1-866-999-HALT (1-866-999-4158).

LICENSE FOR FOREIGN FILING UNDER
Title 35, United States Code, Section 184
Title 37, Code of Federal Regulations, 5.11 & 5.15

#### **GRANTED**

The applicant has been granted a license under 35 U.S.C. 184, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" followed by a date appears on this form. Such licenses are issued in all applications where

Page 3 of 3

the conditions for issuance of a license have been met, regardless of whether or not a license may be required as set forth in 37 CFR 5.15. The scope and limitations of this license are set forth in 37 CFR 5.15(a) unless an earlier license has been issued under 37 CFR 5.15(b). The license is subject to revocation upon written notification. The date indicated is the effective date of the license, unless an earlier license of similar scope has been granted under 37 CFR 5.13 or 5.14.

This license is to be retained by the licensee and may be used at any time on or after the effective date thereof unless it is revoked. This license is automatically transferred to any related applications(s) filed under 37 CFR 1.53(d). This license is not retroactive.

The grant of a license does not in any way lessen the responsibility of a licensee for the security of the subject matter as imposed by any Government contract or the provisions of existing laws relating to espionage and the national security or the export of technical data. Licensees should apprise themselves of current regulations especially with respect to certain countries, of other agencies, particularly the Office of Defense Trade Controls, Department of State (with respect to Arms, Munitions and Implements of War (22 CFR 121-128)); the Bureau of Industry and Security, Department of Commerce (15 CFR parts 730-774); the Office of Foreign Assets Control, Department of Treasury (31 CFR Parts 500+) and the Department of Energy.

#### **NOT GRANTED**

No license under 35 U.S.C. 184 has been granted at this time, if the phrase "IF REQUIRED, FOREIGN FILING LICENSE GRANTED" DOES NOT appear on this form. Applicant may still petition for a license under 37 CFR 5.12, if a license is desired before the expiration of 6 months from the filing date of the application. If 6 months has lapsed from the filing date of this application and the licensee has not received any indication of a secrecy order under 35 U.S.C. 181, the licensee may foreign file the application pursuant to 37 CFR 5.15(b).